

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50619 of 2024

Arising Out of PS. Case No.-422 Year-2023 Thana- TURKAULIYA District- East
Champaran

Arjun Sahani Son of Bhutta Sahani R/O Vill.- Jhakhiya, P.S.- Banjariya, Dist.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 272, 273 of IPC and 30(a)/ 32/ 34/ 36/ 41(i) of Bihar Prohibition and Excise Act, 2018.

3. Altogether 105 liters of country made liquor along with four copper pipes and two gas cylinder are said to have been recovered from bank of Dhanauli River which was used for manufacturing of illicit liquor.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No



incriminating article has been recovered from the conscious physical possession of the petitioner. He no concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired on the basis of disclosure made by the local chowkidar. Petitioner has two criminal antecedent in similar nature of offence as mentioned in para 3 of the bail application and has been languishing in jail since 26.04.2024

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Turkauliya (Banjariya) P.S. Case No. 422 of 2023, with the following conditions:

(i) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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